

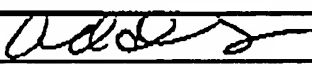
PTO/SB/21 (09-04)


Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/728,706	RECEIVED CENTRAL FAX CENTER JUL 31 2006
	Filing Date	December 5, 2003	
	First Named Inventor	Kang-Hyun LEE	
	Art Unit	2813	
	Examiner Name	Nguyen, Tuan H.	
Total Number of Pages in This Submission	12	Attorney Docket Number	OPP031367US

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): • Fax Cover Sheet • Credit Card Payment Form • Pre-Appeal Brief Request for Review Transmittal • Pre-Appeal Brief Request for Review (3 Pgs.)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	The Law Offices of Andrew D. Fortney, Ph.D., P.C.		
Signature			
Printed name	Andrew D. Fortney, Ph.D.		
Date	07-31-2006	Reg. No.	34,600

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name	Jennie Heaton	Date 07-31-2006

This collection of information is required by 37 CFR 1.3. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/USP/17 (01-06)

Approved for use through 07/31/2008. OMB 0831-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006☐ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
620**Complete If Known**

Application Number	10/728,706
Filing Date	December 5, 2003
First Named Inventor	Kang-Hyun LEE
Examiner Name	Nguyen, Tuan H.
Art Unit	2813
Attorney Docket No.	OPP031367US

RECEIVED
CENTRAL FAX CENTER

JUL 31 2006

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = 0	x	Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = 0	x	Fee Paid (\$)
HP = highest number of independent claims paid for, if greater than 3.		
Multiple Dependent Claims		Fee (\$)
		Fee Paid (\$)
		0

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		0

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)	Fee Paid (\$)
	0
Other (e.g., late filing surcharge): 1-Month Extension of Time Fee (\$120.), Notice of Appeal Fee (\$500.)	620

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	34,600	Telephone	559-432-6847
Name (Print/Type)	Andrew D. Fortney, Ph.D.	Date	07-31-2006		

This collection of information is required by 37 CFR 1.135. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER
JUL 31 2006

THE LAW OFFICES OF
ANDREW D. FORTNEY, PH.D., P.C.

401 W. FALLBROOK AVENUE, SUITE 204
FRESNO, CALIFORNIA 93711

WWW.FORTNEYLAW.COM

TELEPHONE: (559) 432-6847

FAX: (559) 432-6872

EMAIL: INFO@FORTNEYLAW.COM

ANDREW D. FORTNEY, PH.D.

ALEC B. PLUMB*

*REGISTERED PATENT AGENT

ATTN: MAIL STOP AF

COMPANY: COMMISSIONER FOR PATENTS / P.O. BOX 1450, ALEXANDRIA VA 22313-1450

FAX: 1 (571) 273-8300

DATE: 07-31-2006

TIME: 5:20 PM

☐ WITH CONFIRMATION
☒ WITHOUT CONFIRMATION

RE: APPLICATION No. 10/728,706

FILED: December 5, 2003

I hereby certify that this document and all documents listed below are being transmitted via facsimile to
Commissioner for Patents, fax no. (571) 273-8300, on July 31, 2006

By:


Jennie Heaton

SUBMITTED HERewith FOR THE ABOVE-CAPTIONED APPLICATION:

- Transmittal Form
- Fee Transmittal Form
- Credit Card Payment Form
- Petition for Extension of Time
- Notice of Appeal
- Pre-Appeal Brief Request for Review Transmittal Page
- Pre-Appeal Brief Request for Review (5 Pgs.)

Respectfully submitted,



Andrew D. Fortney, Ph.D.; Reg. No. 34,600

PLEASE DIRECT ANY QUESTIONS REGARDING THE TRANSMISSION OF THIS FAX TO:
(559) 432-6847 / FAX (559) 432-6872 / INFO@FORTNEYLAW.COM

THIS FAX CONTAINS 12 PAGE(S) INCLUDING THIS ONE.

This message is intended for its recipient(s) only, and may contain attorney-client privileged communications, attorney work product or other privileged communications. No waiver of any applicable legal privilege is intended by this transmission. If this transmission is received in error by other than the intended recipient(s), please notify the Law Offices of Andrew Fortney at the phone/fax number listed at the top of this page and then please return or destroy the transmitted document. Thank you for your cooperation and assistance.